

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DAVID LIEBLER, and GREG CAREY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

LG ELECTRONICS U.S.A., INC., a
Delaware corporation,

Defendant.

Case No. 14-CV-03500-JLL-JAD

PLAINTIFFS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME

Plaintiffs David Liebler and Greg Carey ("Plaintiffs") hereby move, without opposition, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 6.1, to extend Plaintiffs' deadline to file their Response in Opposition to Defendant LG Electronics U.S.A., Inc.'s ("LG") Renewed Motion to Dismiss the Amended Class Action Complaint With Prejudice (the "Renewed Motion to Dismiss"), and to reset the corresponding deadlines. In support of the instant Motion, Plaintiffs state as follows:

1. On October 31, 2014, Plaintiffs filed a Motion for Leave to File Second Amended Complaint (the "Motion to Amend"). (Dkt. 29.)
2. On June 4, 2015, the Court enter an order denying Plaintiffs' Motion to Amend, without prejudice, and gave Plaintiffs until June 25, 2015 to file a renewed motion. (Dkt. 42.)
3. As Plaintiffs choose to stand on the First Amended Complaint (the "FAC"), rather than file a renewed Motion to Amend, on July 2, 2015, the Court issued an order granting LG permission to re-file its motion to dismiss the FAC on or before July 17, 2015. (Dkt. 44.)

4. Thereafter, Defendant moved for an extension of time, and was ultimately granted an additional 35 days—until August 21, 2015—to file its renewed motion to dismiss (Dkts. 45-47), which it subsequently filed on that date. (Dkt. 49.)

5. Defendant's noticed their Renewed Motion for September 21, 2015. Accordingly, Plaintiffs' deadline to file their response to Defendant's Renewed Motion (the "Response") is currently set for September 8, 2015, while Defendant's deadline to file its reply, if any, is September 15.

6. Although Plaintiffs' counsel has diligently been researching the arguments it intends to proffer in their Response, Defendant's Renewed Motion—which includes 40 pages of briefing and over 100 pages of exhibits—contains complex issues of law and fact that require additional time to address. Moreover, the attorney primarily responsible for drafting the Response is currently working on various matters, and as a result, anticipates that additional time will be necessary to adequately respond to Defendant's Renewed Motion.

7. As such, Plaintiffs respectfully Plaintiffs respectfully request an extension of time, until day until October 13, 2015, to file Plaintiffs' Response. *See* L.R. 6.1(b) (providing that a party may request an extension of time in which to answer or reply to any pleading by seeking leave of the Court); *see also* Fed. R. Civ. P. 6(b). Additionally, Plaintiffs respectfully request that Defendant's deadline to file its reply be extended to October 26, 2015, and the Motion date be rescheduled to November 2, 2015.¹

8. Plaintiffs submit that the relief requested herein is sought in good faith and not for any improper purpose, such as delay.

¹ Plaintiffs' counsel intended to request a shorter extension, but after conferring with counsel for LG, the Parties agreed that, subject to the Court's approval, the above-requested briefing schedule was preferable given the Parties' respective schedules.

9. Prior to filing the instant Motion, Plaintiffs' counsel conferred with counsel for Defendant LG regarding the relief requested herein, and is authorized to state that Defendant LG does not oppose the same.

WHEREFORE, Plaintiffs Liebler and Carey, respectfully requests that the Court enter an order granting Plaintiffs' Unopposed Motion for an Extension of Time, and providing any other relief that the Court deems reasonable and just.

Respectfully submitted,

DAVID LIEBLER and GREG CAREY,
individually and on behalf of all others similarly
situated,

Dated: September 3, 2015

By: /s/ Stefan L. Coleman
One of Plaintiffs' Attorneys

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**Admitted Pro Hac Vice*

SO ORDERED: 

DATED: Sept 8, 2015